

P.P.John Constructions vs Chief Engineer (Nw)

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SooperKanoon Citation : sooperkanoon.com/1763593

Court : Kerala

Decided On : Mar-23-2020

Judge : Honourable Mr.Justice K.Vinod Chandran

Appeal No. : WP(C)/9182/2020

Appellant : P.P.John Constructions

Respondent : Chief Engineer (Nw)

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN
MONDAY, THE 23RD DAY OF MARCH 2020 / 3RD CHAITHRA, 1942
WP(C).No.9182 OF 2020 PETITIONER/S: M/S.P.P.JOHN
CONSTRUCTIONS PANACKAL HOUSE, POWER HOUSE ROAD,
ALLEPPEY 688 001. REPRESENTED BY ITS MANAGING PARTNER
P.P. JOHN, S/O. LATE PANACKAL ANTONY PETER.

BY ADVS. SRI.DEEPU THANKAN SMT.UMMUL FIDA SMT.LAKSHMI
SREEDHAR RESPONDENT/S: 1 CHIEF ENGINEER (NW) MILITARY
ENGINEER SERVICE, NAVAL BASE P.O. KOCHI 682 004. 2
GARRISON ENGINEER, MILITARY ENGINEERING SERVICES (P)
KATARIBAGH, NAVAL BASE P.O., KOCHI 682 004. BY

SRI.P.VIJAYAKUMAR, ASGI BY SMT.JASMINE M.M., GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23.03.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

K. Vinod Chandran, J.

The petitioner submits that similar directions as in Ext.P10 may be issued. An identical issue with respect to the reduction in tax and the benefit of such reduction, being on the awardee or the awarder, is the question agitated in this case also. In such circumstances, this Court dispose of the writ petition with similar directions as in Ext.P10, setting aside the liability as of now, for consideration by the Assistant Garrison Engineer. It is made clear that this Court has not made any observation on the merits. Parties shall suffer their respective costs. Sd/- K. VINOD CHANDRAN, JUDGE. sp/23/03/2020 //True Copy// P.A. To Judge

APPENDIX PETITIONER'S EXHIBITS:- EXHIBIT P1 TRUE COPY OF THE RELEVANT PAGES OF NOTICE INVITING TENDER ISSUED BY THE FIRST RESPONDENT DATED 23.03.2016. EXHIBIT P2 TRUE COPY OF THE LETTER AWARDED THE CONTRACT TO THE PETITIONER ISSUED BY THE FIRST RESPONDENT DATED 23.08.2017. EXHIBIT P3 TRUE COPY OF THE COMMUNICATION NO.890725/265/EB DATED 23.12.2019 ISSUED BY THE FIRST RESPONDENT. EXHIBIT P4 TRUE COPY OF THE NOTIFICATION NO.11/2017 (CENTRAL) DATED 28.06.2017. EXHIBIT P5 TRUE COPY OF THE RELEVANT PAGES OF THE NOTIFICATION GO(P) NO.72/2017/TAXES DATED 30.06.2017. EXHIBIT P6 TRUE COPY OF THE NOTIFICATION NO.20/2017 DATED 22.08.2017. EXHIBIT P7 TRUE COPY OF THE RELEVANT PAGES OF NOTIFICATION GO(P) NO.136/2017/TAXES DATED 09.11.2017. EXHIBIT P8 TRUE COPY OF THE REGISTRATION CERTIFICATE DATED 17.07.2018. EXHIBIT P9 TRUE COPY OF THE COMMUNICATION OF THE SECOND RESPONDENT DATED 04.03.2020. EXHIBIT P10 TRUE COPY OF THE JUDGMENT OF THIS COURT IN WP(C) NO.22728/2019 DATED 28.10.2019.